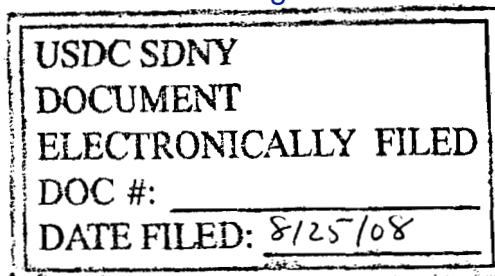


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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PATRICK MCGAGH :

Petitioner, :

- v. - :

UNITED STATES OF AMERICA, :

Respondent. :

ORDER
07 cv 9289 (SHS)

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IT IS HEREBY ORDERED that, with the *written* consent of the Government, *dated Aug 25, 2008* Petitioner's motion pursuant to 28 U.S.C. § 2255 is granted, and Petitioner's conviction is hereby vacated.

Dated: New York, New York
August 25, 2008


HONORABLE SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE